

NORTH LANARKSHIRE COUNCIL

REPORT

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| To: POLICY AND RESOURCES (REGENERATION AND INFRASTRUCTURE) SUB COMMITTEE | | Subject: GARTFERRY ROAD, MOODIESBURN SERVITUDE |
| From: HEAD OF CORPORATE PROPERTY & PROCUREMENT | | |
| Date: 19 May 2016 | Ref: IM/W5 | |

1. INTRODUCTION

- 1.1 The purpose of this report is to seek Committee approval to the granting of a Servitude over ground adjacent to Gartferry Road, Moodiesburn.

2. BACKGROUND

- 2.1 The council has been approached by Hallam Land Management Ltd who are the owners of land adjacent to Gartferry Road for which planning permission in principle was granted in September 2014 to allow the construction of 50 residential dwellings.
- 2.2 Hallam Land Management Ltd have advised that a SUDS pond will be located on the eastern boundary of their site and are seeking a Servitude to allow for the construction and future maintenance of an outfall pipe which will carry any run-off from the SUDS pond in to a watercourse located on the council's land.
- 2.3 The council's Geotechnical Section have advised that the watercourse is in a flood sensitive area identified by SEPA and a flood risk assessment will require to be approved prior to the Servitude being granted. Grounds Maintenance have also been consulted and no objections were raised.

3. DESCRIPTION

- 3.1 The ground affected by the Servitude is an unmaintained area of open space located to the eastern side of the access road for the former Stoneyetts Hospital.
- 3.2 A plan detailing the development site owned by Hallam Land Management Ltd, shown crosshatched, the proposed route of the Servitude, as indicated, and the council's land ownership, shown shaded, is attached. The final Servitude route may be subject to change.

4. TERMS

- 4.1 It has been provisionally agreed that Hallam Land Management Ltd will pay a capital sum equivalent to £500 per unit in respect of the Servitude. Based on the 50 units for which planning permission in principle has been granted this would provide a capital receipt of £25,000, although I am advised that the number of units may be subject to change.

4.2 Hallam Land Management Ltd will be responsible for the council's fees and costs in relation to this transaction.

5. CORPORATE CONSIDERATIONS

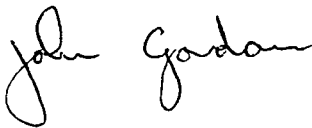
5.1 The granting of the Servitude will generate a capital receipt for the council.

5.2 The Servitude will assist in delivering a residential development approved in principle by the council.

6. RECOMMENDATIONS

6.1 It is recommended that committee approve the grant of a Servitude in favour of Hallam Land Management Ltd or their nominees based on the terms detailed within this report.

6.2 All other terms of conditions to be adjusted by the Head of Corporate Property & Procurement.



JOHN GORDON
Head of Corporate Property & Procurement

Members seeking further information on the contents of this report are asked to contact Mary Anne Robb, Business Manager (Estates) on 01236 632667.

LOCATION PLAN - For Information Only

Title: Gartferry Road

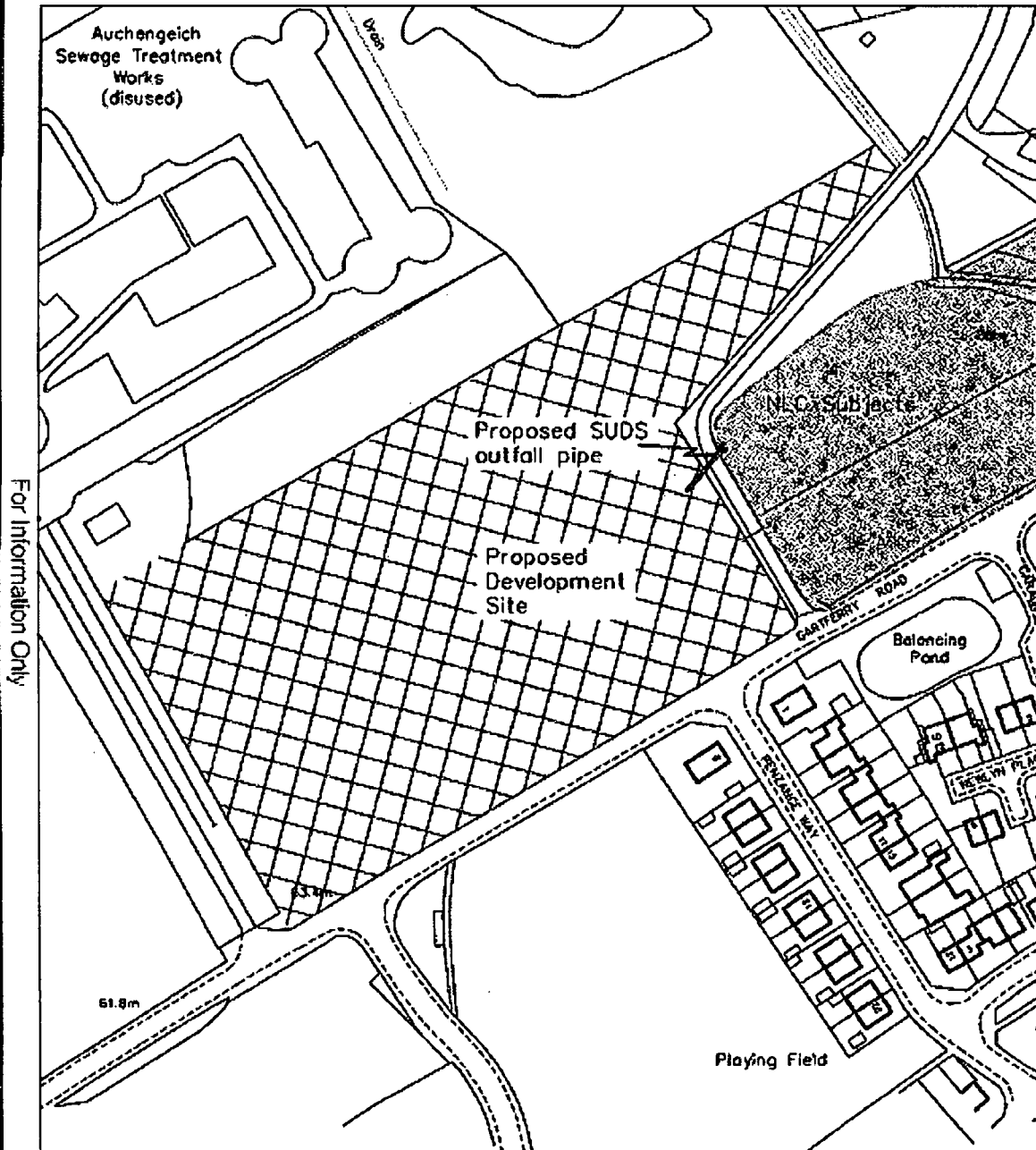
Scale 1:NTS



Town: Moodiesburn

Date: 19/04/2016

ENVIRONMENT & ESTATES



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